

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 16-17517
Diane Rossi	:	Chapter 13
	:	Judge Jean K. FitzSimon
Debtor(s)	:	*****
	:	
Wells Fargo Bank, N.A.	:	Date and Time of Hearing
	:	Place of Hearing
vs	:	October 18, 2017 at 9:30 a.m.
	:	
Diane Rossi	:	U.S. Bankruptcy Court
Gilberto Carrasquillo	:	900 Market Street, Courtroom #3
	:	Philadelphia, PA, 19107
Frederick L. Reigle	:	
Respondents.	:	Related Document # 27

**STIPULATION FOR SETTLEMENT OF MOTION FOR RELIEF FROM AUTOMATIC
STAY AND CO-DEBTOR STAY AS TO REAL PROPERTY LOCATED AT
11614 HENDRIX TERRACE, PHILADELPHIA, PA 19116**

This matter coming to be heard on the *Motion for Relief from Stay and Co-Debtor Stay* (Dkt. #27) which was filed in this court by Wells Fargo Bank, N.A. ("Movant"), Movant and Diane Rossi ("Debtor"), by and through their attorneys have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant;

As of date of bankruptcy filing on October 26, 2016, Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the months of November 2016 through October 2017, incurring a total post-petition arrearage of \$7,716.12, which consists of 12 post-petition payments for November 2, 2017 through October 2, 2017 at \$643.01 each.

IT IS HEREBY ORDERED:

1. Debtor will amend the Chapter 13 Plan within 30 days of Court entry of the order approving this stipulation to accommodate payment of the post-petition arrearage outlined above through the Chapter 13 Plan.
2. In order to eliminate said post-petition delinquency, Creditor is allowed to file a supplemental Proof of Claim in the amount of \$7,716.12 representing the arrearage outlined above.
3. Debtor must continue to make timely post-petition mortgage payments directly to Movant pursuant the agreement starting with the November 2, 2017 payment.

4. If Debtor fails to amend the Chapter 13 Plan as prescribed within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
5. If Movant fails to receive any one post-petition monthly mortgage payments and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
6. If the Chapter 13 Trustee fails to receive two monthly plan payments and if the Debtor fails to bring his/her plan current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing certification of default with the clerk of the court.
7. Upon the fourth default occurrence, without notification to the Debtor and his/her attorney, Creditor shall receive automatic relief by filing a Certification of Default and a Proposed Order Granting Relief with the Court.
8. This Stipulation remains in full force and effect in the event Debtor's case is dismissed by the Court and Debtor subsequently reinstates his case by order of the Court and/or the Creditor obtains relief from stay and the stay is subsequently reinstated by order of the Court.
9. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

MANLEY DEAS KOCHALSKI LLC

Dated: _____

10/17/17

BY: _____

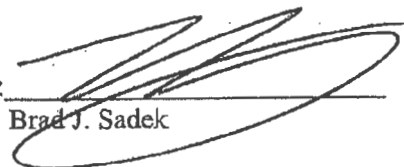


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Attorney for Creditor

Dated: _____

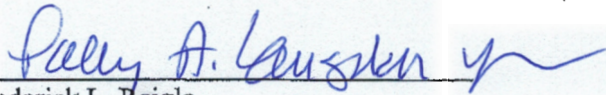
10/16/17

BY: _____


Brad J. Sadek

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Attorney for Debtor

I do not object to the foregoing Stipulation



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